

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CASE No. 1:20-CV-11889-MLW

Dr. SHIVA AYYADURAI)	
Plaintiff,)	
)	
v.)	
)	
WILLIAM FRANCIS GALVIN,)	
MICHELLE K. TASSINARI,)	
DEBRA O'MALLEY,)	JURY DEMANDED
AMY COHEN,)	
NATIONAL ASSOCIATION OF)	
STATE ELECTION DIRECTORS,)	
all in their individual capacities, and)	
WILLIAM FRANCIS GALVIN,)	
in his official capacity as Secretary)	
of State for Massachusetts,)	
Defendants.)	

AFFIDAVIT IN SUPPORT OF MOTION FOR JOINDER
AND LEAVE TO FILE A SECOND AMENDED COMPLAINT

On February 19, 2021, this court ordered me to consider adding Twitter Inc., a Delaware Corporation, as a Defendant in this case, because it was “questionable whether the court may grant plaintiff complete relief on his Motion if Twitter is not a party to this case. Such relief may also implicate Twitter's interests, which could be impaired in its absence.”

I hereby file this affidavit in support of my motion for joinder and leave to amend my complaint in order to add Twitter as a defendant and add claims against Twitter.

BOSTON HAS A LONG HISTORY OF STRONGLY ENCOURAGING
PRIVATE ACTORS TO SUPPRESS SPEECH

The history of Boston is synonymous with suppression of speech. In 1650, the first book burning in the New World happened on Boston Common when the General Court ordered copies of William Pynchon’s book to be ***burned*** because it was not sufficiently loyal and deferential to the

folks in power in Massachusetts. William Pynchon was then expelled to England, where none of his books was burnt.

Image: Mason Green, *Springfield 1636-1886*, C.A.

Nichols, Publishers, 1888



After that, for over 300 years, numerous books were Banned in Boston despite the establishment of the United States and the passage of the First Amendment to the US Constitution. Massachusetts continued to have laws on its books that defied the First Amendment and enforced the government's views on what was acceptable speech, and criminally prosecuted people who asserted their First Amendment rights.

In 1944 the anti-racism book *Strange Fruit* was banned in Boston. On May 26, 1944, the author, Lillian Smith, penned the following in her letter to the American Civil Liberties Union annual meeting, about why the powers in Boston banned her anti-racism book:

“But there are many others who fear the effect of *Strange Fruit* on the racial status quo; and, I think, within this group we shall find Boston's major reason for banning the book. These people believe it is to their political and economic advantage to keep the Negro and the Jew and labor where they are today. They fear all change. They know when racial segregation begins to weaken, that other forms of segregation and exploitation will crumble with it. They fear the book because it has the effect of stirring imagination and reawakening guilt feelings.

To these people, segregation in all its forms: racial, economic, religious, psychological, must be maintained at however great a cost to civil liberties and intellectual freedom. It is only by realizing that the charge of obscenity is a clumsy attempt to destroy the book's power and prestige, that we, who believe in civil rights, can defend these rights in terms of this book.”

https://web.archive.org/web/20130226042510/http://beck.library.emory.edu/southernchanges/article.php?id=sc12-5_008

Abraham Isenstadt was criminally prosecuted by the government of Massachusetts for selling one copy of ***Strange Fruit*** in Cambridge, Mass. The SJC upheld his criminal conviction because the prosecution complied with the letter of the law, ch. 276 § 28, as it had remained on the books in one form or another from 1711, and with case law as it existed in Massachusetts throughout. *Commonwealth v. Isenstadt*, 318 Mass. 543 (1945)

That law, ch. 272 § 28, remained the law in Massachusetts even after the US Supreme Court reversed the SJC in a later decision in 1966 that reiterated the supremacy of the US Constitution and the First Amendment, even in Massachusetts. *Memoirs v. Massachusetts*, 383 U.S. 413 (1966) The law was amended: 1959, 492, § 1; 1966, 418, § 1; 1974, 430, §1; 1982, 603, § 2.

The ban in Massachusetts on selling, possessing or reading ***Strange Fruit*** was ***repealed only in the year 1982***, after the legislature rewrote ch. 272 § 28 to seek compliance with the First Amendment to the United States Constitution, ***two hundred and six (206) years after Massachusetts joined the Republic***. The legislature rewrote it again, 2011, 9, § 19, in response to Judge Zobel finding even the 1982 version unconstitutional - *American Booksellers Foundation v. Coakley*, No. 10-11165, 2010 WL 4273802, D. Mass. (2010)

In addition to the consciously ***pretextual use*** of an unconstitutionally vague law, which was easily understood back in 1944 by Lillian Smith herself, the powers in Boston strongly encouraged all private actors to enforce the establishment's arbitrary moral code, be they book distributors or cinema halls or theatres. See *Censorship of the Theatre in Boston*, Daniel M. Doherty, Boston University MS Thesis, 1950 - <https://core.ac.uk/download/pdf/142044252.pdf> The ***Watch and Ward Society***'s influence was total and extended far beyond the plain text of state law. The threat of individual prosecution was in addition to a real threat of withdrawing the

license of theatres, cinemas and booksellers if they offended authorities. This *abuse of licensing power* generated comprehensive self-censorship both within Massachusetts and amongst publishers and film distributors outside Massachusetts. Film distributors *voluntarily* made a special version to be shown in Massachusetts movie theatres that was different from the same movie shown in the free parts of the United States, such as Manhattan. *Doherty*, supra.

After the US Supreme Court finally prevailed in establishing the writ of the First Amendment within Massachusetts, the government seemingly complied - *for a few years*.

With the arrival of computer algorithms however, the government of Massachusetts is again free to enforce its will and return to its endemic, long-entrenched tradition of defying the First and Fourteenth Amendments, now without any concern about public attention, let alone opprobrium. The silencing of my speech was accomplished *silently*, through strongly encouraging Twitter to use computer algorithms to flag my tweets anytime I referred to Tassinari and/or the screenshot images of her emails, which revealed the Defendants' intentional violation of Federal law. These algorithms responded as programmed: first with a suspension for a few hours, then with a suspension for a few days, then with a suspension for a few weeks, and then finally with a permanent suspension.

All of this was done by the Government of Massachusetts to suppress my speech for revealing the truth that the government, Galvin and Tassinari, fully knew that they intentionally violated Federal law and the US Constitution.

ALL MY LIFE I HAVE FOUGHT AT PERSONAL RISK AGAINST CASTEISM, SEGREGATION, DISCRIMINATION, AND OPPRESSION

I was born a low-caste untouchable, and experienced grinding poverty, and crushing oppression on a farm in southern India. My family moved to America in 1970, and I grew up in the working

class neighborhoods of New Jersey. My entire life has been a fight against all forms of oppression and segregation.

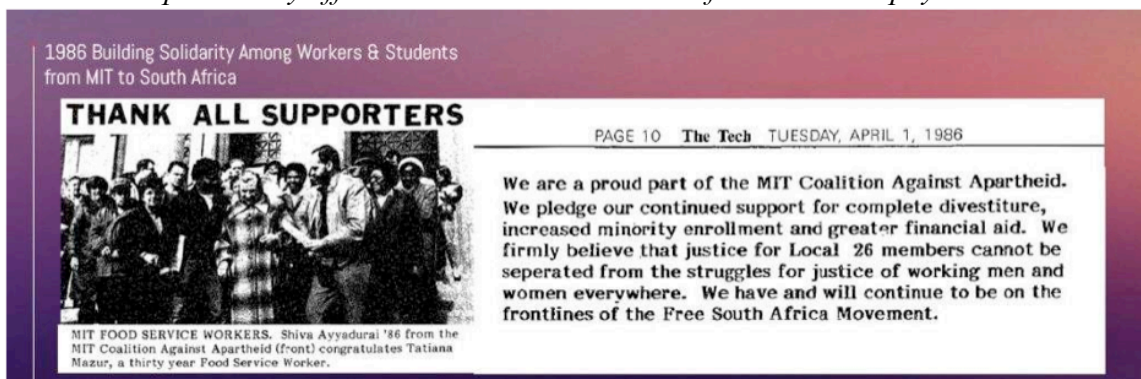
I put my life on the line at each instance and placed personal interests at grave risk to take a public stand for the downtrodden. Ever since I moved to Massachusetts from New Jersey in 1981, my life has been a continuous struggle against the “liberal” elite in control of this state, and their daily hypocrisy. What I have observed is their words – of fighting for the poor, the oppressed, working people – are contrary to their deeds.

While at MIT, I placed my degrees and PhD at risk when I fought publicly for the rights of women and protested the pervasive misogyny and sexism within the elite at that university. I was inspired by my mom’s experiences and struggles in India, at a time when women, especially from her background, were not expected to become educated. I fought publicly for the rights of workers at the university, fought against “liberal” elites profiteering in Apartheid South Africa, fought to release political detainees from the genocidal Jayawardane government in Sri Lanka, fought for the entry and inclusion of more women, poor - black and white - in science and engineering, fought against endless imperialist wars overseas, and fought against the fake Left-Right – Republican-Democrat - divide.





1986 – On the occasion of MIT inviting Sri Lankan Prime Minister Jayawardane to MIT, I protested genocide and demanded the release of my MIT colleague who was unlawfully detained in a Sri Lankan prison. My efforts resulted in the release of the detained physicist.



In 2009, after completing my Fulbright, I was invited by the Prime Minister of India to import my expertise in science and innovation to lead the reforming of India's leading scientific institution - the Council of Scientific and Industrial Research (CSIR) of India, for which the Prime Minister served as its President. The goal was to unleash innovation and commercialize the numerous scientific innovations and findings made by the many scientists in India. The scientists were relieved and overjoyed to finally have one of their own in authority, and supported me fully. I quickly learned of the feudal and colonial infrastructure, which actively suppressed innovation, and realized my appointment was simply for show – to have an MIT PhD, Fulbright Scholar allegedly in-charge.

I could have accepted the corruption and simply stayed on to enjoy the immense material benefits and stature they offered, while knowing it was an empty position. I wrote an honest report summarizing my findings for review by the leadership. That report resulted in not only my termination but also eviction, death threats, and attempted false arrest and prosecution. All of this was unleashed by “progressive” and “liberal” elites of India who quote Gandhi every day. I had leave India in the middle of the night to avoid being killed.

The most prestigious journal in the field of science, **Nature**, published a report on my being forced out of CSIR within five (5) months of my appointment.



<https://www.nature.com/news/2009/091109/full/462152a.html>

As a very dark-skinned Indian-American, I have experienced racism daily throughout my stay in Massachusetts. Belmont Police threatened me with retaliation for purchasing a modern house in the “liberal” Snake Hill area. This was after they entered my home without a warrant because they could not believe that a black-skinned man could be living in such a house in Belmont. Just as the progressive elites in India, the liberal elites of Belmont fabricated a false arrest, which was outright dismissed by the courts. And true to form, the Boston Brahmins in control of Massachusetts tried to use that false arrest against me during my 2020 run for US Senate, even though the court records had been sealed.

All my life, I chose to fight against all forms of segregation that the “liberal” elites support, as correctly delineated by Lillian Smith back in 1944 itself. My fight has been real – not for show – and aimed at meaningful improvement in ordinary people’s lives. It has not been a fake exercise in brand-building or aimed at becoming a member of the elite establishment myself. At age 57, I did not need to put myself at risk and run for US Senate and take on the “liberal” elites. I could easily live a comfortable life in Belmont, run my biotech companies in Cambridge, and make nice with the Boston Brahmins in charge regardless of who occupies the Governor’s Office. I fight because that is a commitment I made to my oppressed grandparents, in that small farm in southern India when I was twelve as well as to the many working class people - black and white - in New Jersey, who taught me, and gave me my values. It is who I am. Which brings me to Twitter CEO Jack Dorsey.

Dorsey has actively colluded with the Boston Brahmins of Massachusetts to interfere in the election campaign of a low-caste black-skinned untouchable, who ran for US Senate so he could actually help the downtrodden and marginalized people of Massachusetts and the United States with fresh new ideas and a strong background in science, engineering, and innovation.

It is undeniable and hideous that Dorsey has chosen to silence, on behalf of the elites in power, a low-caste untouchable who has been an actual fighter for the oppressed and the voiceless his whole life, while Dorsey puts out photos and press statements that claim he is a champion of diversity, inclusion, and the fight against racism and casteism. In 2018, Dorsey traveled to India and claimed to strongly oppose casteism and other social ills in that country. Here is Dorsey in India claiming to “Smash Brahminical Patriarchy.”



<https://twitter.com/annavetticad/status/1064084446909997056?lang=en>

It is beyond hypocritical that Dorsey has actively colluded with the elite establishment – the Boston Brahmins in Massachusetts - to SMASH a low-caste untouchable, who came up the hard way and ran for office to represent others who have been shut out by the one-party “liberal” elites in control of Massachusetts, and provided the government a covert means of silencing me. Dorsey has actively supported the caste system in Massachusetts while claiming to support inclusion, social equality and diversity overseas, and Black Lives Matter in the United States.

Unlike Dorsey, I have fought against casteism my whole life both in the East and the West. Dorsey has supported the elites in power both in the East and the West. This past month

Dorsey's Twitter has silenced agitating farmers in India on behalf of the elites in power over there. As the child of poor dark-skinned Indian farmers myself, I can only conclude that Dorsey is a posturing fraud who is a member of the "liberal" elite himself and has zero interest in changing the existing power structures in any way – in neither East nor West.

The recently-departed Michael Apted documented in his landmark *Up* series (1964 - 2019) the lack of socioeconomic mobility in English society. Dorsey supports the same lack of socioeconomic mobility and the continued preservation of power within the "liberal" upper caste of Massachusetts.

If Dorsey truly opposed casteism, he would have ensured that my voice is not silenced by his own company on behalf of the agents of the Boston Brahmins - Tassinari, Galvin and Cohen, and would have ensured that his company does not provide establishment upper castes a covert means to accomplish an end run around the strong restrictions imposed on government by the US Constitution. Dorsey actively helps the upper caste carry on oppressing the downtrodden in the United States, undisturbed by the new elites in Big Tech or by any notions of due process or equal protection, or who the United States must be as a nation.

TWITTER DIDN'T JUST SUCCUMB TO THE MASSACHUSETTS GOVERNMENT - TWITTER IS AN ACTIVE PARTNER IN THE GOVERNMENT'S SILENCING OF SPEECH

Given the century-long history of private actors succumbing to the will of the government of Massachusetts, in fear of losing licenses or being publicly excoriated as anti-social or aiding crime, one would think it is not a surprise that in the year 2020 Twitter too silently succumbed. In fact, I testified at the October 30, 2020, hearing for a TRO, that Twitter had no choice but cave to a concerted powerful push from a government and its agents to pretextually classify my tweet, about Tassinari deleting ballot images in conscious violation of

Federal law, as “content that may suppress participation or mislead people about when, where, or how to participate in a civic process.”

Judge Posner wrote the following regarding the affidavit filed by an employee at Visa that denied any coercion by Sheriff Dart, though the coercion was explicit for all to see:

“It’s true that Visa filed an affidavit stating that “at no point did Visa perceive Sheriff Dart to be threatening Visa.” But what would one expect an executive of Visa to say? “I am afraid of the guy?” “He is in effect calling me an accomplice of a criminal organization (Backpage), and I’m afraid he might pull strings to get me investigated and even prosecuted by any one of several federal or state agencies?” More significant than Visa’s denial of having succumbed to Sheriff Dart’s pressure tactics is the statement in the affidavit that the withdrawal of credit card services from Backpage “follow[ed] communication with Sheriff Dart’s staff” and with “Visa Legal Department” personnel.”

Backpage.com, LLC v. Dart, 807 F.3d 229 (7th Cir. 2015)

In my case here it is a matter of record that the Secretary of State of Massachusetts and the state’s Election Director acted in concert with the National Association of State Election Directors and the National Association of Secretaries of State to do ***whatever it takes*** to silence my speech on Twitter in the middle of my federal election campaign.

Three hundred years of Massachusetts history shows that most private businesses lack the gumption to withstand that level of Massachusetts state government power and single-handedly defend the Constitution of the United States.

But we would be wrong to think that is the end of the matter. The reality at Twitter is vastly different. Twitter consciously chose to collude with the government ***even before*** Tassinari, Galvin, Cohen, O’Malley and others reached out to do ***whatever it took*** to silence me during my run for Federal office.

Twitter actively established a “Trusted Partner” program with government and actively colludes with efforts by the state to silence speech using this privileged relationship. Twitter’s “Trusted Partner” program serves exclusively as an end run around the US Constitution’s

restrictions on the government. The sole purpose of Twitter's "Trusted Partner" program is to allow the government to silence speech *silently* without any public scrutiny of the state's actions and to serve as the government's convenient cut-out that allows the government plausible deniability for its own actions - *Who, us? No, no, Twitter did it all on its own, its a private company you see.* This is repellent and execrable. ***It is impossible to tell where the government ends and Twitter begins!***

But for this court eliciting testimony from O'Malley and Tassinari at the TRO hearing, these Defendants and Twitter would have continued to conceal the very existence of the Trusted Partner program. Nowhere on Twitter's website do we find any mention of Twitter's Trusted Partnership with ***government officials*** to help the state silence speech silently.

Twitter's website takes care to conceal its deep, willing, collusion with the government and strives to give the impression that it partners only with other private companies for marketing purposes. See: <https://partners.twitter.com/en> and <https://partners.twitter.com/en/about-the-program> The court now knows that this claim is a lie. In its anodyne descriptions on "civic integrity," Twitter takes care to avoid a description of the Trusted Partner program and that it is intended from the start as an end run around restrictions on the government. <https://about.twitter.com/en/our-priorities/civic-integrity> , https://blog.twitter.com/en_us/topics/company/2020/2020-election-changes.html

It is vital for all of us to acknowledge that Twitter did not do what the brave Abraham Isenstadt did all by himself back in 1944, i.e. stand up for the US Constitution's protected rights and liberties and the foundational principles of the American Revolution.

Isenstadt stood up to the government of Massachusetts despite being one solitary owner of one solitary bookshop. Twitter on the other hand is much more powerful and has the global

voice to not just stand up to the government but expose *whatever it takes* efforts by state officials to silence speech.

But Dorsey is not Isenstadt. Isenstadt in deeds, not in words, fought segregation, racism, discrimination when he was willing to put his own business on the line and risk criminal record to fight for free speech and defend the First Amendment. Dorsey on the other hand gave Tassinari, Galvin – the Government of Massachusetts – a Trusted Twitter Partnership, colluded with them to silence a black-skinned, low-caste untouchable, who was exposing a violation of Federal Law that serves to deny the guarantee of “One Person, One Vote” to every American.

The irony and hypocrisy is beyond the pale. Unlike Twitter and Dorsey, Isenstadt chose to live not by lies.

Applying the Isenstadt analogy, Twitter’s willing clandestine relationship with the government is equivalent to the government of Massachusetts having a backdoor to Isenstadt’s bookstore and a collusive relationship with him to silently exclude books from sale that do not meet with the state’s approval, while claiming it was a private business decision.

Twitter too may be visualized as a modern bookstore with the tweets being the equivalent of books. It is now a matter of record that unlike Isenstadt, Twitter founder and CEO Jack Dorsey has granted the government privileged backdoor access and a controlling say over which books Dorsey puts up on display. Both Dorsey and the government see eye to eye and are in full agreement that voices, such as mine, that promote all forms of desegregation and meaningful structural change must be silenced, just like *Strange Fruit* was silenced by the “liberal” elite in Boston. This is no different from how it was in the Soviet Union or East Germany and still is in today’s China.



IT IS TIME TO LIVE NOT BY LIES

On February 13, 1974, despite being a native-born citizen and Army veteran, Aleksandr Solzhenitsyn was expelled from Russia by the progressive elite for “performing actions systematically that are incompatible with being a citizen of the USSR,” i.e. publicly revealing the fact that the Gulag slave labor system was established on original orders from Lenin himself.

On February 12, 1974, just the day prior, Solzhenitsyn penned a letter titled *Live Not By Lies*, that was published in full on February 18, 1974, in the Washington Post, and is attached to this affidavit as an exhibit. The credo expressed in that essay 46 years ago this month applies fully to us today and to the resolution of this case.

There is testimony already in the record, even before any depositions or discovery, that the government officials who are Defendants here, in concert with Cohen and NASED, strongly encouraged Twitter to do **whatever it takes** to silence my speech. There is evidence in the record that this action involved the use of computer algorithms that detected certain words and/or images, an algorithm that the Defendants allowed to continue in place even after the Defendants assured this court that they would ensure that I would no longer be silenced on Twitter **because of them**. The silencing of this citizen’s speech through the use of a stealthy computer algorithm,

by the government of Massachusetts, is as unacceptable as the documented silencing of citizens' speech for decades through the threat of licensing actions, by the government of Massachusetts. There is no difference. The contempt for the First Amendment shown by the government of Massachusetts, throughout the entire period of the existence of the United States, is palpable and continues.

These Defendants expect everyone to live by lies and behave as if Twitter acted on its own to silence me, and that the government of Massachusetts does not silence speech.

It is time to live not by lies.

Twitter must be held responsible for silently acting as the agent of the elites in government and for living by the lie that the government has no influence on who Twitter deplatforms. It remains unacceptable for Twitter to run a covert program designed specifically to provide the government a stealthy way to perform an end run around the US Constitution.

This court must allow Twitter to be joined to this lawsuit and grant leave to amend the complaint to include claims against Twitter, such that the truth is finally revealed and ordinary citizens are protected from a covert program that allows the government to violate their rights at will under the garb of the private sector.

Respectfully submitted under the pains and penalties of perjury,

Date: February 26, 2021

/s/ Dr. Shiva Ayyadurai

Dr. Shiva Ayyadurai

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all in their individual capacities, and)

WILLIAM FRANCIS GALVIN,)

in his official capacity as Secretary)

of State for Massachusetts,)

Defendants.)

JURY DEMANDED

EXHIBIT

Live Not By Lies

Alexander Solzhenitsyn

As printed in *The Washington Post*, p. A26
Monday, February 18, 1974

Following is the full text of Alexander Solzhenitsyn's essay "Live Not By Lies." It is perhaps the last thing he wrote on his native soil [before the collapse of the Soviet Union] and circulated among Moscow's intellectuals [at that time]. The essay is dated Feb. 12, the day that secret police broke into his apartment and arrested him. The next day he was exiled to West Germany.

At one time we dared not even to whisper. Now we write and read *samizdat*, and sometimes when we gather in the smoking room at the Science Institute we complain frankly to one another: What kind of tricks are they playing on us, and where are they dragging us? Gratuitous boasting of cosmic achievements while there is poverty and destruction at home. Propping up remote, uncivilized regimes. Fanning up civil war. And we recklessly fostered Mao Tse-tung at our expense – and it will be we who are sent to war against him, and will have to go. Is there any way out? And they put on trial anybody they want and they put sane people in asylums – always they, and we are powerless.

Things have almost reached rock bottom. A universal spiritual death has already touched us all, and physical death will soon flare up and consume us both and our children – but as before we still smile in a cowardly way and mumble without tongues tied. But what can we do to stop it? We haven't the strength?

We have been so hopelessly dehumanized that for today's modest ration of food we are willing to abandon all our principles, our souls, and all the efforts of our predecessors and all opportunities for our descendants – but just don't disturb our fragile existence. We lack staunchness, pride and enthusiasm. We don't even fear universal nuclear death, and we don't fear a third world war. We have already taken refuge in the crevices. We just fear acts of civil courage.

We fear only to lag behind the herd and to take a step alone - and suddenly find ourselves without white bread, without heating gas, and without a Moscow registration.

We have been indoctrinated in political courses, and in just the same way was fostered the idea to live comfortably, and all will be well for the rest of our lives. You can't escape your environment and social conditions. Everyday life defines consciousness. What does it have to do with us? We can't do anything about it?

But we can – everything. But we lie to ourselves for assurance. And it is not they who are to blame for everything -we ourselves are, only we. One can object: But actually you can think anything you like. Gags have been stuffed into our mouths. Nobody wants to listen to us and nobody asks us. How can we force them to listen? It is impossible to change their minds.

It would be natural to vote them out of office - but there are not elections in our country. In the West people know about strikes and protest demonstrations - but we are too oppressed, and it is a horrible prospect for us: How can one suddenly renounce a job and take to the streets? Yet the other fatal paths probed during the past century by our bitter Russian history are, nevertheless, not for us, and truly we don't need them.

Now that the axes have done their work, when everything which was sown has sprouted anew, we can see that the young and presumptuous people who thought they would make our country just and happy through terror, bloody rebellion and civil war were themselves misled. No thanks, fathers of education! Now we know that infamous methods breed infamous results. Let our hands be clean!

The circle – is it closed? And is there really no way out? And is there only one thing left for us to do, to wait without taking action? Maybe something will happen by itself? It will never happen as long as we daily acknowledge, extol, and strengthen – and do not sever ourselves from – the most perceptible of its aspects: Lies.

When violence intrudes into peaceful life, its face glows with self-confidence, as if it were carrying a banner and shouting: "I am violence. Run away, make way for me – I will crush you." But violence quickly grows old. And it has lost confidence in itself, and in order to maintain a respectable face it summons falsehood as its ally – since violence lays its ponderous paw not every day and not on every shoulder. It demands from us only obedience to lies and daily participation in lies – all loyalty lies in that.

And the simplest and most accessible key to our self-neglected liberation lies right here: Personal non-participation in lies. Though lies conceal everything, though lies embrace everything, but not with any help from me.

This opens a breach in the imaginary encirclement caused by our inaction. It is the easiest thing to do for us, but the most devastating for the lies. Because when people renounce lies it simply cuts short their existence. Like an infection, they can exist only in a living organism.

We do not exhort ourselves. We have not sufficiently matured to march into the squares and shout the truth out loud or to express aloud what we think. It's not necessary. It's dangerous.

But let us refuse to say that which we do not think.

This is our path, the easiest and most accessible one, which takes into account our inherent cowardice, already well rooted. And it is much easier – it's dangerous even to say this – than the sort of civil disobedience which Gandhi advocated.

Our path is to talk away from the gangrenous boundary. If we did not paste together the dead bones and scales of ideology, if we did not sew together the rotting rags, we would be astonished how quickly the lies would be rendered helpless and subside.

That which should be naked would then really appear naked before the whole world.

So in our timidity, let each of us make a choice: Whether consciously, to remain a servant of falsehood – of course, it is not out of inclination, but to feed one's family, that one raises his children in the spirit of lies – or to shrug off the lies and become an honest man worthy of respect both by one's children and contemporaries.

And from that day onward he:

- Will not henceforth write, sign, or print in any way a single phrase which in his opinion distorts the truth.
- Will utter such a phrase neither in private conversation not in the presence of many people, neither on his own behalf not at the prompting of someone else, either in the role of agitator, teacher, educator, not in a theatrical role.
- Will not depict, foster or broadcast a single idea which he can only see is false or a distortion of the truth whether it be in painting, sculpture, photography, technical science, or music.
- Will not cite out of context, either orally or written, a single quotation so as to please someone, to feather his own nest, to achieve success in his work, if he does not share completely the idea which is quoted, or if it does not accurately reflect the matter at issue.
- Will not allow himself to be compelled to attend demonstrations or meetings if they are contrary to his desire or will, will neither take into hand nor raise into the air a poster or slogan which he does not completely accept.
- Will not raise his hand to vote for a proposal with which he does not sincerely sympathize, will vote neither openly nor secretly for a person whom he considers unworthy or of doubtful abilities.
- Will not allow himself to be dragged to a meeting where there can be expected a forced or distorted discussion of a question.
- Will immediately walk out of a meeting, session, lecture, performance or film showing if he hears a speaker tell lies, or purvey ideological nonsense or shameless propaganda.
- Will not subscribe to or buy a newspaper or magazine in which information is distorted and primary facts are concealed.

Of course we have not listed all of the possible and necessary deviations from falsehood. But a person who purifies himself will easily distinguish other instances with his purified outlook.

No, it will not be the same for everybody at first. Some, at first, will lose their jobs. For young people who want to live with truth, this will, in the beginning, complicate their young lives very much, because the required recitations are stuffed with lies, and it is necessary to make a choice.

But there are no loopholes for anybody who wants to be honest. On any given day any one of us will be confronted with at least one of the above-mentioned choices even in the most secure of the technical sciences. Either truth or falsehood: Toward spiritual independence or toward spiritual servitude.

And he who is not sufficiently courageous even to defend his soul - don't let him be proud of his "progressive" views, and don't let him boast that he is an academician or a people's artist, a merited figure, or a general - let him say to himself: I am in the herd, and a coward. It's all the same to me as long as I'm fed and warm.

Even this path, which is the most modest of all paths of resistance, will not be easy for us. But it is much easier than self-immolation or a hunger strike: The flames will not envelope your body, your eyeballs will not burst from the heat, and brown bread and clean water will always be available to your family.

A great people of Europe, the Czechoslovaks, whom we betrayed and deceived: Haven't they shown us how a vulnerable breast can stand up even against tanks if there is a worthy heart within it?

You say it will not be easy? But it will be easiest of all possible resources. It will not be an easy choice for a body, but it is the only one for a soul. No, it is not an easy path. But there are already people, even dozens of them, who over the years have maintained all these points and live by the truth.

So you will not be the first to take this path, but will join those who have already taken it. This path will be easier and shorter for all of us if we take it by mutual efforts and in close rank. If there are thousands of us, they will not be able to do anything with us. If there are tens of thousands of us, then we would not even recognize our country.

If we are too frightened, then we should stop complaining that someone is suffocating us. We ourselves are doing it. Let us then bow down even more, let us wail, and our brothers the biologists will help to bring nearer the day when they are able to read that our thoughts are worthless and hopeless.

And if we get cold feet, even taking this step, then we are worthless and hopeless, and the scorn of Pushkin should be directed to us:

“Why should cattle have the gifts of freedom?

“Their heritage from generation to generation is the belled yoke and the lash.”

ЖИТЬ НЕ ПО ЛЖИ!

Когда-то мы не смели и шёпотом шелестеть. Теперь вот пишем и читаем Самиздат, а уж друг другу-то, сойдясь в курилках НИИ, от души нажалуемся: чего только *они* не накуролесят, куда только не тянут нас! И ненужное космическое хвастовство при разорении и бедности дома; и укрепление дальних диких режимов; и разжигание гражданских войн; и безрассудно вырастили Мао Цзе-дуна (на наши средства) — и нас же на него погонят, и придётся идти, куда денешься? и судят, кого хотят, и здоровых загоняют в умалишённые — всё «они», а мы — бессильны.

Уже до донышка доходит, уже всеобщая духовная гибель насунулась на всех нас, и физическая вот-вот запылает и сожжёт и нас, и наших детей, — а мы по-прежнему всё улыбаемся трусливо и лепечем косноязычно:

— А чем же мы помешаем? У нас нет сил.

Мы так безнадежно расчеловечились, что за сегодняшнюю скромную кормушку отдадим все принципы, душу свою, все усилия наших предков, все возможности для потомков — только бы не расстроить своего утлого существования. Не осталось у нас ни твёрдости, ни гордости, ни сердечного жара. Мы даже всеобщей атомной смерти не боимся, третьей мировой войны не боимся (может, в щёлочку спрячемся), — мы только боимся шагов гражданского мужества! Нам только бы не оторваться от стада, не сделать шага в одиночку — и вдруг оказаться без белых батонов, без газовой колонки, без московской прописки.

Уж как долбили нам на политкружках, так в нас и вросло, удобно жить, на весь век хорошо: *среда*, социальные условия, из них не выскочишь, бытие определяет сознание, мы-то при чём? мы ничего не можем.

А мы можем — в с ё! — но сами себе лжём, чтобы себя успокоить. Никакие не «они» во всём виноваты — *мы сами*, только *мы*!

Возразят: но ведь действительно ничего не придумаешь! Нам заклипили рты, нас не слушают, не спрашивают. Как же заставить *их* послушать нас?

Переубедить их — невозможно.

Естественно было бы их переизбрать! — но перевыборов не бывает в нашей стране.

На Западе люди знают забастовки, демонстрации протеста, — но мы слишком забиты, нам это страшно: как это вдруг — отказаться от работы, как это вдруг — выйти на улицу?

Все же другие роковые пути, за последний век отпробованные в горькой русской истории, — тем более не для нас, и вправду — не надо! Теперь, когда все топоры своего дорубились, когда всё посеянное взойшло, — видно нам, как заблудились, как зачадилились те молодые, самонадеянные, кто думали террором, кровавым восстанием и гражданской войной сделать страну справедливой и счастливой. Нет, спасибо, отцы просвещения! Теперь-то знаем мы, что гнусность методов расплывается в гнусности результатов. Наши руки — да будут чистыми!

Так круг — замкнулся? И выхода — действительно нет? И остаётся нам только бездейственно ждать: вдруг случится что-нибудь с *а м о*?

Но никогда оно от нас не отлипнет с *а м о*, если все мы все дни будем его признавать, прославлять и упрочнять, если не оттолкнёмся хотя б от самой его чувствительной точки.

От — лжи.

Когда насилие врывается в мирную людскую жизнь — его лицо пылает от самоуверенности, оно так и на флаге несёт, и кричит: «Я — Насилие! Разойдись, расступись — раздавлю!» Но насилие быстро стареет, немного лет — оно уже не уверено в себе, и, чтобы держаться, чтобы выглядеть прилично, — непременно вызывает себе в союзники Ложь. Ибо: насилию нечем прикрыться, кроме лжи, а ложь может держаться только насилием. И не каждый день, не на каждое плечо кладёт насилие свою тяжёлую лапу: оно требует от нас только покорности лжи, ежедневного участия во лжи — и в этом вся верноподданность.

И здесь-то лежит пренебрегаемый нами, самый простой, самый доступный ключ к нашему освобождению: *личное неучастие во лжи!* Пусть ложь всё покрыла, пусть ложь всем владеет, но в самом малом упрёмся: пусть владеет *не через меня!*

И это — прорез во мнимом кольце нашего бездействия! — самый лёгкий для нас и самый разрушительный для лжи. Ибо когда люди отшатываются ото лжи — она просто перестаёт существовать. Как зараза, она может существовать только на людях.

Не призываемся, не созрели мы идти на площади и громогласить правду, высказывать вслух, что́ думаем, — не надо, это страшно. Но хоть откажемся говорить то, чего не думаем!

Вот это и есть наш путь, самый лёгкий и доступный при нашей проросшей органической трусости, гораздо легче (страшно выговорить) гражданского неповиновения по Ганди.

Наш путь: *ни в чём не поддерживать лжи сознательно!* Осознав, где граница лжи (для каждого она ещё по-разному видна), — отступить от этой гангренозной границы! Не подклеивать мёртвых косточек и чешуек Идеологии, не сшивать гнилого тряпья — и мы поражены будем, как быстро и беспомощно ложь опадёт, и чему надлежит быть голым — то явится миру голым.

Итак, через робость нашу пусть каждый выберет: остаётся ли он сознательным слугою лжи (о, разумеется, не по склонности, но для прокормления семьи, для воспитания детей в духе лжи!), или пришла ему пора отряхнуться честным человеком, достойным уважения и детей своих и современников. И с этого дня он:

— впредь не напишет, не подпишет, не напечатает никаким способом ни единой фразы, искривляющей, по его мнению, правду;

— такой фразы ни в частной беседе, ни многолюдно не выскажет ни от себя, ни по шпаргалке, ни в роли агитатора, учителя, воспитателя, ни по театральной роли;

— живописно, скульптурно, фотографически, технически, музыкально не изобразит, не сопроводит, не протранслирует ни одной ложной мысли, ни одного искажения истины, которое различает;

— не приведёт ни устно, ни письменно ни одной «руководящей» цитаты из угождения, для страховки, для успеха своей работы, если цитируемой мысли не разделяет полностью или она не относится точно сюда;

— не даст принудить себя идти на демонстрацию или митинг, если это против его желания и воли; не возьмёт в руки, не подымет транспаранта, лозунга, которого не разделяет полностью;

— не поднимет голосующей руки за предложение, которому не чувствует искренне; не проголосует ни явно, ни тайно за лицо, которое считает недостойным или сомнительным;

— не даст загнать себя на собрание, где ожидается принудительное, искажённое обсуждение вопроса;

— тотчас покинет заседание, собрание, лекцию, спектакль, киносеанс, как только услышит от оратора ложь, идеологический вздор или беззастенчивую пропаганду;

— не подпишется и не купит в рознице такую газету или журнал, где информация искажается, первосущные факты скрываются.

Мы перечислили, разумеется, не все возможные и необходимые уклонения ото лжи. Но тот, кто станет очищаться, — взором очищенным легко различит и другие случаи.

Да, на первых порах выйдет не равно. Кому-то на время лишиться работы. Молодым, желающим жить по правде, это очень осложнит их молодую жизнь при начале: ведь и отвечаемые уроки набиты ложью, надо выбирать. Но и ни для кого, кто хочет быть честным, здесь не осталось лазейки: никакой день никому из нас даже в самых безопасных технических науках не обминуть хоть одного из названных шагов — в сторону правды или в сторону лжи; в сторону духовной независимости или духовного лакейства. И тот, у кого неостанет смелости даже на защиту своей души, — пусть не гордится своими передовыми взглядами, не кичится, что он академик или народный артист, заслуженный деятель

или генерал, — так пусть и скажет себе: я — быдло и трус, мне лишь бы сытно и тепло.

Даже этот путь — самый умеренный из всех путей сопротивления — для засидевшихся нас будет нелёгкок. Но насколько же легче самосожжения или даже голодовки: пламя не охватит твоего туловища, глаза не лопнут от жара, и чёрный-то хлеб с чистой водою всегда найдётся для твоей семьи.

Преданный нами, обманутый нами великий народ Европы — чехословацкий — неужели не показал нам, как даже против танков выстаивает незащищенная грудь, если в ней достойное сердце?

Это будет нелёгкий путь? — но самый лёгкий из возможных. Нелёгкий выбор для тела, — но единственный для души. Нелёгкий путь, — однако есть уже у нас люди, даже десятки их, кто годами выдерживает все эти пункты, живёт по правде.

Итак: не первыми вступить на этот путь, а — присоединиться! Тем легче и тем короче окажется всем нам этот путь, чем дружнее, чем гуще мы на него вступим! Будут нас тысячи — и не управятся ни с кем ничего поделать. Станут нас десятки тысяч — и мы не узнаем нашей страны!

Если ж мы струсим, то довольно жаловаться, что кто-то нам не даёт дышать — это мы сами себе не даём! Пригнёмся ещё, подождём, а наши братья биологи помогут приблизить чтение наших мыслей и переделку наших генов.

Если и в э т о м мы струсим, то мы — ничтожны, безнадёжны, и это к нам пушкинское презрение:

К чему стадам дары свободы?
.....
Наследство их из рода в роды
Ярмо с гремушками да бич.

12 февраля 1974